there was such an engagement. There had been a good deal said by connsel in regard to

character. There was an attempt made their

troduce evidence in the form of depositions

from San Francisco, Los Angeles, etc., in

regard to the character of the plaintiff, but t was ruled that such evidence could not be

introduced because her character was not assailed. There had been no evidence as to

the character or disposition of either of the

parties. The presumption was that as for as they had heard the plaintiff was of good

character. A great deal had been brought

out by questions to the jury in regard to

political troubles which had passed, and a

good deal said about the political life and character of the defendant. It was his duty

to charge them that the political life or character of either plaintiff or defendant

was not in question there. An engagement of marriage was a private matter. They

were sworn to give their verdict according to

of the plaintiff, which it was enstomary for

people to chaff about-as for instance, the

remark often heard about book ngents "hounding one to death." Neither was the

passing upon requests by counsel for partic-

ular rulings. In case of a breach of promise

being found damages were not to be ment-

sating damages. If the breach had occa-sioned shame and mental grief, damages

might be assessed for such injuries. In these

respects they were to draw their conclusions

entirely from the evidence. Compensating

damages had been alleged or proved, on the

whether the marriage, had it taken place,

there had been no injury done, as that was

for the jury to consider. If they found there

was a promise then they must find if there

plaintiff. He could not instruct the

BREACH OF PROMISE! - St. Clair vs. Gibson.

REPORT OF THE TRIAL

Unanimous Verdict for Plaintiff.

DAMAGES \$10,000 !

Supreme Court-

Остонев Типм, 1887, JUDGE BICKESTON PRESIDING. Tuesday, October 25th. AFTERN ON SESSION.

St. Chair vs. Gibson. Breach of promise of marriage. Dunages claimed \$25,000.

Smith & Kinney for plaintiff; Hatch and Neumann for defendant

"At a later stage, counsel for plaintiff annonne-d that thay had associated with them in the case Mr. A. C. Smith.

Of the first panel called, one was challenged peremptorily and two excused. Finally the following jury was declared acceptable to both parties:

H. Loss, Wm. Robson, H. S. Tregloan, J. Tecker, A. Mossman, J. J. Shaw, T. W. situs, C. W. Nicoll, T. F. Lansing, E. O. White, A. L. Smith, Phos. Lindery.

The Court took a recess of five minutes. On resuming, Mr. W. A. Kinney opened for the defendant and read the bill of com-

Mr. Hatch intimated that an answer was on file denying the allegations.

The plaintiff, Catherine Howard St. Clair,

was called and testified: I was born in Sacramento County: my family were from the South; have five sisters and one brother; one sister is here; the rest are in San Francisco; my father's name was Cadwell; he died in July of this year: have been married to Heary Howard St. Chairs was 22 years old when married; first requitatance with my bushand began in San Francisco; was married in Tagoma; was then convassing; made two or three convassing trips before being married; after being married, went directly east to Chicago with my husband, who was an assayer mining expert; outs of marriage was 24th March, 1881; stayed in Chicago two years, my husband stapped on the way to examine a mine; went on with my sister who was with me, to San Francisco; my busband arrived at San Francisco about a week later; house was 319 Harget street; and with me my brother and sister; my husband went on mining on iness to Mexico; my husband did not return according to arrangement; he received a tele-gram e bling him east; he went to Chicago; I had a telegram saying he was very iil in Chicago; I went to Chicago; my husband died there about a week after my arrival; I eturned afterwards to a residence at 711 Post street; my sister lived with me in that iouse; af er a time I sold out the house and furniture; my sister went to her home at Sacaments: I went to Los Angeles; was canvassug for my book; was canvassing for A. L.

Scheroft; took the name of Florence loward; was advised by the firm to take that name and I had reasons for not wishing my family to know where I was going; my husband died 18th July, 1883; about the middle of February, 1884, I went to Los Angeles; started back to S. F. 17th 1885; was in Los Angeles quite a while; went to Mrs. ciso; remained there five or six weeks; went to Baldwin Hotel; efterwards went to the Grand; my sister joined me there; afterwards we took lodgings at and went to Madame Strot's; arrived here 10th February, 1886; my sister took the name of Alice Waite; stopped at the Hawaiian Hotel a few days; went from there to Mrs. Hoyt's; first met Mr. Fib-on in an interview regard-ing my books; L is meeting was a long time before the legislature met. A little crossfiring took place between Messrs. Neumann and Kinney at this point. Saw Mr. Gibs in about a month or perhaps six weeks after I I first interviewed Mr. Gibson; I was at Mrs. Hart's tuen; the first interview with Mr. Gibson was at his own house; my interview was for the purpose of asking him to make an appointment to examine my books; he made an appointment for a few days after this interview; at the the first interview with Mr. Gibson, he treated me in a very gentle-manly, courteous manner; did not know where he had exue from; at the second interview. I did know that he was a South eruer: he sigued no order for books; treated me with as much apparent interest as a gen-tleman can be expected to take in a strange lady; he promised to patronize me in my work; he fold me when I was ready with my list, to call and get his order; it was an in terval of some six weeks or two months afterwards when I had the third interview with Mr. Gibson; it was during a recess of the Legislature; the occasion of the third visit was to get his order for there were four volumes of this work; I got his order in writing; it was about 5 o'clock in the afternoon; he received me in his sitting room in his residence; he asked about an other book; he made an appointment with me to show him the book on that third visit, it took only a few minutes to get his order; afterwards Mr. Gibson commenced talking

manner that of a perfect gentlemant at that interview, Mr. Gibson asked permission to call; I refused bum; gave reasons, in general terms; that I did not receive gestleman callers, except on business, and being a stranger, receiving such calls would cause my came to be unfavorably spoxen; had another interview with him about the book; he said that as I could not supply the book now, that he would not sign the order then. as if he did so, he would not see me again; be renewed his request for permission to call; that evening he walked home with me to the gate, at Mrs. Hoyt's; I had by this time been enquiring about Mr. Gibson's personal character, and found that it was ereditable; an appointment was made for the next Tassday evening; he did not keep this appointment; the books having arrivel, I sent them down, and went in the after-noon for the money; arr. Hays-iden met me at the door, said Mr. Gibson was at supper at the time, and would see me in a few rain-utes; when Mr. Gibson came in he signed a check for the money; made many apologies for not keeping his previous appointment; an appointment was made for another interview on the following evening; told him to fix the time when he would call, so that I could arrange with airs. How about preparations; my sister Alice saw him country on this occasion; I received Mr. Gibson in my private sitting room at Mrs. Hoyt's; had three rooms there with the privilege of Mrs. Hayr's sitting room to receive my visitors; my sister Alice was present for a wails at this interview; he made an appointment to visit me two evenings later; visits followed right along at the rate of three a week; the

days were fuesdays, thursdays and Satur-

days; and these occusious, Mrs. Boyt had the

chairs removed from the verandah so that Mr. Gibson could come and go unobserved.

The nature of these visits was friend-

priect could noe in this; " as he had many

him naving so much government putronage at

med opposents; that they were jerious or

out art and general subjects; found his

newspapers; said if I heard anything calculated to shake my confidence in hi character to have no hesitation, "dear child. to mention it to him; he would come about seven o'clock; was always received in my private sitting room: I had implied confidence in him; in these conversations, sir, Gibson al-ways made himself highly entertaining; my sister did not always remain at these interviews; he seemed to ignore my sister; he in-timated by his manner that he did not come to see her; afterwards his conversation be came more and more complimentary; he would say things that I would consider more than the expressions of mere friendship; his visits commenced about the early part of August, last year; some of the expressions were that if he had any idea of giving his dough ter a stepmother, he would be cleased to give her a friend too; that I was awining myself completely round his heart; that in the more ing when he woke up, he thought of the nours of evening when he would meet me again; there was more talk of that sort; the impression he made upon me at that time was that I liked him, though he was very en tertaining and felt sorry that he was so old; visiting continued util into the mouth of October; he came, perhaps, two or three times, in the first week of the m onth of October. Up to that time be had not kept all his appointments; one evening after he had missed an appointment, he gave as his reason that the Kine had sent for him: this on curred about the latter part of September; was annoyed at being disappointed; I excused him from appointments until after the close of the Legislature; I felt that be had said more to me than ordinary friendship would dictate; my sister went to Mani about the to Mr. Atwater, when the latter said

24th October; Mr. bibson's calls had ceased early in October; I went down to the steamer with my sister; met Mr. Gibson there; he said the Legislature was over and he could have more time at his disposal; about the end of October or the first of November I moved to Mrs. Dudoit; after going there, Mr. Gioson's visits were not renewed until some time after varo; I met him accidentally; I felt that I was very deeply interested in him; I had some etchings to dispose of and was talking me that Mr. Gibson was up stairs and would likely buy the etchange; I c died at his office; he bought the etchings; he received me very cordially; an appointment was made for me to call at his house and get a check for the amount of the sale; on this occasion, he said, I am afraid you are a little bit heartless; you have arranged to go where I can-not go to see you; he suggested that I come again a couple of evenings later and take a cap of tea with him; he pressed me to take a cup of tea with him then; I went; the saisstance of the conversation was very pleasant; I sold him the histories; his conversation that evening was such as to create the impression that his petromage was very valuable to me in my business; the historica were not delivered at that time; when they were delivered and the price called for, he gave me a check for \$30 instead of the price, \$25. In December, a short time before Unristmas, my sister returned; she came to the house with me; we took rooms down stairs; sometime after this, in consequence of information that Mr. Gibson was ck, received from Mrs. Dudoit, I called at Mr. Gibsou's; he spoke as if he was annoyed at my indifference in not calling before; was Satur by morning; he asked if I had any volumes of Snakespeare; I said I had; an appointment was made for the Wednesday llowing when he bongat the book; he said I was filling up his life and he was going to keep me there; after the interview he walked with me to hirs. Dudont's; on that walk home, he told me of his admiration for me, that he had been looking for a good many months, and had found no flaw in me; i said he sometimes thought I could not go out of his life; that he was louely when I was not with him; that his life was a lonely one; that he was living only for others; that he wanted a home of his own; that he would wish to have me remain with him; I was rather surprised; I made an engagement to come and take tea with him; afterwards I

WEDNESDAY, October 26th.

Sin of December one Sunday

On the Court resuming, the plaintiff resumed the stand, her examination in chief continuing till recess at 12 o'clock. clock the Court resumed.

determined not to go; when he was with me,

his persuasive powers induced me to consent

to seen engagements; after he left, I made up my mind I would not go; I could not per-

mit min to come to visit me, as my sister was il; my visits to him were from half-past

five to half post six; had an interview with

morning, I was going to call on Mrs. Angus;

I had to pass the gate of Mr. Gibson's house; I went in and found him walking up and

was on this occasion that he asked me to

marry him; the conversation lasted till 1

o'clock; he asked me to marry him; I accept

down the room; it was about 10 o'c

ed him.

Mrs. St. Cluir- ross-examined by Mr. Neumann-The engagement had been communicated to Mrs. Hoyt, Miss Anate Dudoit, Mr. Lyons and Miss Blackwell; this was after mention was made of the affeir in the papers; plaintiff never denied it after press notices appeared; defendant said Mrs. Dudort knows all about my visits, so that we will have no more secrecy; only once had any talk with Mrs. Dudoit about Mr. Gibson visit, when she said the proposed change of rooms "would not be so pleasant," that she knew di about it, and congratulated her saying she was going to be "an old man's darling;" Em us came to me and said I must be careful, as the prisoner working in the garden knew all about Mr. Gibson's visits; Miss Blackwell first told me Gibson had dented his promise, saying: "You have a great deal of taith in Mr. Gibson, but I have it very direct that he has denied the engagement to several persons;" Miss Black-Mr. Naumanu-Toen the whole affair was

sifted turough a uniliner's snop? Mr. Kinney protested against a question of this sort, which could not elect any fact but

would give pain to the wi ness My. Neumann denied any offensive idea, and changed the question to whether that was the only source of information on the point.
Witness replied that Miss Emma Dudoit told her defendant had d nied the engagement at his residence to herself; witness had ecusion to admit engagement, but never denied it; never i; words disclaimed the su-gagement; know Mr. Hart; met him at his toe cream parlors, had conversation with him about the engagement; he said he heard I was going to be married; I said, to whom? He said, to Walter Marray. I said if he beneved all he heard he would believe great deal: thought it was a very direct question from a comparative stranger and treated it as it deserved; he said he only thought be might get a large toe cream bill; nevet tively denied the engagement to Hurt, nor did I expressly admit it; friends advised me not to deny engagement after it was men-

tioned in the papers.

Neg name—Who were the parties so advis-

Kinney objects. Neumann contended that they had a right to know everything that happened between plaintiff and defendant. There was more in

the newspaper notices than he would care to eation now.
The Court allows the question.

Witness said it was a gentleman in private conversation; his name would not be a particle of good to counsel, but she would reveal it if insisted upon.

Counsel withdrew the question. Witness referred to two letters she had written to defendant, the jast dated May had consulted with Mr. Lyons, who and Mr. Gibson should have told his family cout the engagement if he was sincere; Lyons read the letter and addressed it; the atter because he was to leave it at the Poreign Office, the former because Lyons was a confidential friend who she wished should know all about the affair; after my letter to counsel I visited Gibson once at his office. George Wilson, back driver, testified to taking a letter from plantiff to defendant; it was taken out of my hands by Mr. Haysel-

F. Turrill, sworn—Board at Mrs. Dudoit's; am acquainted with Mrs. St. Cl dr; took a letter from her to Mr. Gibson the latter part its disposal; that the King'e insidered him the only rejected man in the Kingdom to be su-

trusted with these high responsibilities; of April.
spoke particularly of the hostility of the Statement of W. O. Smith, counsel, of de-

livery of letter personally to Mr. Gibson was admitted by consent. Mr. Kinney read three letters of plaintiff to defendant.

TRUBSDAY, October 27th.

Court resumed at 10 o'clock. Alice Howard Waite is called, and testifies: I came to the country in February, 1886; stopped at Hawaiian Hotel for a few days, and went afterwards to Mrs. Hoyt's; took the name of Alice Waite; first saw Mr. Gibsm at Mrs. Hoyt's about the 9th or 10th of July; he came only to the gate first time; might have been a week after when he came into the house; preparations were made for his visits on subsequent occasions by Mrs. Hoyt, chairs being moved off veranda and Mr. Hoys, if at home, withdrawing to the next house; he called about twice a week or perhaps more; he would be received in my ister's private sitting room; I was some times present at the commencement of these visits, but never remained in the room during the whole visit; always left the room soon after he came in; understood his visits to be to my sister alone; Mr. Gibson held public office at the time—that of premier: I remained at Mrs. Hoyt's until the part of ctober; first time he came he had a gray shawl on his arm; twice he came in a carriage, once he wore an overcoat.

Witness in answer to counsel related circomstances of sandry visits and meetings that took place between the plaintiff and

Reason of secreey was that Mr. Gibson ing in a public position his actions were liable to be talked about, and my sister was in a business that brought her in much contact with the public; he made some in the first week of October; on the 24th October sailed for Mani; Mrs. Dominis and His Majesty were on the same steamer; Mr. Gibson was at the wharf among others; my sister had come down to see me off; she and Mr. Gibson met there; he shook hands with her and was very cordial; Mr. Gibson usually called at drs. Hoyr's at haif-past seven and would remain perhaps to ten, never later; he acted at these visits as if he admired my sister very much; would infer more from his manner than his words that he was very much in love with her; remained in Maui, itile and other places until about the middle of December; firs; heard of an enso far as I can recollect, in Jan pary; I did not speak to Mr. Gibson of the agagement; had my own reasons for not doing so; heard some conversation between Mr. Gibson and my sister about her engagement; I heard my sister ask Mr. Gibson if he had informed his family of their engagement; he said, no, I am coming to it very suon; my sister usked if his daughter would object to it; he said the relations were such between armself and his daughter, his daughter's bemily and he all living in the same house, but his daughter had long ago ceased to think of him as going to get married again; would explain the matter to his daughter and as she always took his happiness into account, she would be reasonable; he did not think His Majesty could spare him to go to the Coast; he spoke of a delightful retreat on one of the other islands where they could spend the beneymoon; later on, after His I jesty could spare him, he might go to the last; he would not prefer San Francisco nimself, would rather go to Sonthern California; he addressed my sister as "my darling," "dear love," "sweet, sweet darling," he kissed her good bye; this was not the only occasion on which he kissed her good bye, I saw him kiss her good bye several times; I know that ne kissed her many other times; one mornng he called about ten o'clock; my sister was combine her hair; I went out and placed chairs on the verandah; he said she had beautiful hair, that he desired she should not thin it in any manner; no, my darling, you must promise me that you do nothing of the kind; Mr. Gibson spoke of their future residence on King street; spoke of making alterations and repairs on his house; he would have a whole acre of roses planted; overheard him say that although his hair was white he trusted she would love him none the ess; although his hair was gray, his heart was young; he always wore a black dress coat; he said he never knew how he had existed until after he had met her; my sister brushed his coat and bathed his hair with cologne. Whose cologue was it?

Well, I thought at the time it was hers, but I had to renew mine next day; he used to come in a carriage, and I noticed that a carringe usually waited for him; he would enter he gate nearest our rooms; on another occawent to the parlor of the house; left Mrs. Dudoit for Mani about the 29th March; found the date by article in the GAZETTE, to which her attention was called when in Walluku; returned in two or three weeks; came back to attend the wedding; found some persons who were refusing to ake the books they had ordered because they heard my sister was going to marry Mr. Gibson; arrived in Honolulu, to the best of my recollection, on the 24th April: saw Mr. Gibson after my return; my sister had changed her rooms at Mrs. Dudoit's house; he called at Mrs. Dudoit's, in the parlor, asked for my sister; I conducted him to my sister's room upstairs; my sister and myself removed from Mrs. Dudoit's some time after this, owing to my having a lame foot that made it painful for me to go up and down the stairs; we removed to the Central House, Alakea street; since Mr. Gibson disappeared, we have resided in Honolulu; I had intended to leave for Sugramento, but remained here

on account of things I had heard. Where were you born and brought up?

Neumann objected to the question. He hd not want any more family history, tross-extended—The name I took when I ame here was taken at the suggestion of Mr. dancroft: I inferred from Mr. Gibson's maner that he would prefer me to go; no one nyited me to retire; the appointments as to Mr. Gibson's visits, (Tue-day, Thursday and Saturday) were told me by my sister; Mrs. Hoyt took an interest in arranging for Mr. Gibson's visits, solely through her good will and knowing that Mr. Gibson being in pubic life, his acts would be made subject t common talk, and my sister was in a pubsituation; and Mrs. Hoyt did not either party to be publicly talked about; cannot state the date of his last visit, in October before I went to Maui; from what I saw and heard at that time I would not judge that there was any love between them; know of no so cial confidences between them such is would be supposed to exist between peo making love to each other; at the time Mr. Gibson met us on the wharf he did not show that he knew of my going or of my sister's not going; the first time I saw Mr. Gibson after my return from Mani, on New Year's Day, I understood his visit then to be of a eral character; the conversation about the proposed rapairs on his house on King treet occurred about the latter part of February in my sister's room; neither of nese conversations took place in Mr. Gibon's house; cannot tell the time that elapsed between these conversations; must have occurred between February and March; he engagement was not broken off so far as I know on my sister's part; Mr. Gibson's onduct became such as if no engagement and existed; my sister spoke to me at middle of May about this suit: I think it was in January that he made the remark hir is gray, but my heart is young;" (witless in answer to a question named several persons to whom she had mentioned the mater of her sister's engagement.) I did not give away any of the conversations between Ar. Gi son and my sister, except it might be ome remarks of trivial importance; I did speak to Mrs. Dudout and Mrs. Hoyt before I vent to Maui in March about the engagement; I made no secret of it among my friends, when the article referred to came at in the paper; never told Mr. Mossman of dakawao in April that there was no engagenent; may have passed it off in an indefinite as it was not my affair, I did speak oth Mrs. ---- about it; I think was before I went to Mani that Mrs. Dadoit cougratulated my sister on her engagement, and

afterwards congratulated me; my coming

suck to the webding was the result of talks

with my sister before I went away; my sister

did not write to me to dome back to the wed-

ling; no time had been fixed for the wed

ling; it had been talked over between my sister and inviself before I went to Mani; I

did not go to Mr. Gibson's party; my sister did not go; I do not know of having read any

which was on Saturday or Monday, about the 24th of April, Mr. Gibson called at Mrs. Dudoit's and enquired for me; he brought no work, book or picture back that belonged to me on that occasion; he never brought back anything to the Dudoit house after the 25th April that belonged to me or my sister. Mr. Kinney read the deposition of Mrs.

Depositions taken in San Francisco were offered by plaintiff relative to the personal character of plaintiff.

Court heard argument of counsel. Henry Hart sworn, and testified: I am acquainted with the plaintiff in this suit; had conversations with plaintiff; on evening she came in with a gentleman and had ice cream the gentleman was Mr. Copp; lady came three or four weeks after that; I congratulated her on her engagement with Mr. Gib-son; she said, "Don't you believe that, there is nothing in that story;" I said, I am very sorry, I was in hopes I would have a good order for ice cream and cake.

Cross-examined by Mr. Kinney-This talk took place sometime in May.

Which were you thinking about, the wid-ow's affairs or the ice cream? Ou! I was thinking about the ice cream; it would have been a matter of \$400 or \$500. Mrs. Dudoit; sworn-Do not remember visit of Mr. Gibson at my house on the 25th April; Mrs. St. Clair and her sister removed from my house on the 3d May; cannot re-member by date the last time Mr. Gibson called on them before they left my house remember the occasion; he called and asked for Mrs. St. Clair and her sister; do not remember of ever congratulating Mrs. St. Clair on her engagement with Mr. Gibson; did not congratulate her or her sister on the event, did congratulate Mr. Gioson.

Cross-examined by Mr. Kinney-Mrs. St. Clair told me of the engagement; I did not congratulate her; did not expect that it would ever come to pass; did not concern myself about the matter; I mentioned the matter to Mr. Lyon as a joke; do not know that I spoke to Mrs. Blackwell about it; I called Miss Waite an accommodating little siste because she moved out of the way when Mr Gibson called; did not repeat any remark to Mrs. Blackwell or any one else; it was not matter of any consequence to me; every body was talking about it; never approache Wrs. Howard or her sister on the matter only spoke to them when they introduced the subject themselves; cannot remember of saying anything to Miss Waite further than the remark about her being an accommodating sister; may or may not have had converse tions with Mrs. Howard and Miss Waite; not remember a conversation with Mr. Gibson in reference to this suit.

Kamiki, sworn-I am a messenger in the Foreign Office; in November, December, Jan nary and February of this year, was junitor and messenger in the Foreign Office; know the plaintiff in the case; she used to come to the office with books; sometimes she went into the library and museum; sometimes into the Foreign Office; generally went into the clerk's office; and if she wanted to see Mr. Gibson, she went into his room; some times she would come in there three or four times a week during the months named never a week passed without her coming sometimes her visits were less frequent.

Cross-examination by Mr. Kinney-Know Mrs. Beckley; have not charge of Mrs. Beck ley's room; had no talk with Mrs. Beckley about the case; what use would it be for Mrs Beckley to talk to me about what took as all that was said was in English: Mrs. St. Clair's visits commenced in December last year; do not mean by that that I did not see her there before; was junior there in July and August last year; do not remember remaining there during the day, did not see her; sometimes I would be away, and after coming back, would see her coming ont of the office; from December along to April this year, she came with books; sometime along about April, some book agents were prosecuted for selling books without license after that she did not come with books, but continued to come from time to time; the last time she came was in May: asked for Mr. Gibson, I did not know where he was: I went into his office to look for him: found him there; told him a white woman wanted to see him; he said to tell her he was not there; I intimated the best way I could that he had gone down town; she went into the library and sat in front of the hall-way son came out of his office; then she got up and followed him along the hall-way; do not know whether she went down the stairs with him or not; there were some visits in May before this; how many I do not know; her visits were always in the forenoon; there was no time when the whole week went by with-out her visiting; if I thought it was going to be of any importance I would have kept a

memorandum of these visits. Mrs. Naknina (nee Beckley) sworn: I was librarian in the Government building dur-ing the latter part of last year and the first part of this year; saw a lady come in fre-quently and inquire for Mr. Gibson; at first, she was a stranger, but after a while, knew her quite well; did not know her name until I saw it in the papers; her business was to sell books; there were two came; looked very much alike; (witness desbribes Mrs. St. Clair and her sister); went away to March, returned in June; she used to enquire for Mr. Gibson; she would wait there often until he would come; she told me she wanted to see Mr. Gibson on business; saw Mrs. St. Clair and her sister pass into Mr Gibson's room without calling at my room; could not have visited 1-ss than two dozen times; know nothing further about the relations between plaintiff and defendant; was always assured that these were business

Cross-examined by Kinney - Witness named, in answer to a question, the clerk in the Foreign office; ladies could get into Mr. Gibson's office without passing through the clerk's office, especially when their visits were expected. Mrs. St. Clair and her sister were brought

into Court and identified by witness. Airs. St. Clair called at my room two dozen times between December and May.

Mr. Neumann—Did this lady ever *peak to you about buying books for the library?

Do you buy books for the library? Sometimes, but I never bought any from

them. Cross-examination continues-Mr. Gibson was sick part of the time between December and May: during this period there would be intervals during which the ladies did not

Ed. Stiles, called by plaintiff's counsel, sworn-I am a copyist in the Foreign Office; have been there since 1884; my hours are from 9 to 12 and from 1 to 4 o'clock; saw Mrs. St. Clair three or four times in there. Cross-examined by Neumann-Have seen plaintiff in the halway passing out of Mr. Gibson's office some half a dozen times.

Kinney-Did you have a conversation with ms a few days ago coming down the stair? Do you remember my asking you how many times you saw the woman about the Foreign Odice, and what answer did you make? I remember about it, and I said I saw the lady there three or four times.

Court adjourned at 4:30 to 7 p. m. Mr. Neumann, on the Court resuming, addressed the jury, speaking from 7 to 8:15. He indic ted that this case was only an instance of the "old story," a f-scinating woman and a susceptible man. It was promi nent from the position held by the defendant as Premier of the Kingdom. His main theory was that plaintiff and her sister had laid plans to exptivate the defendant, working them up persistently and skillfully with a view to making this suit for damages The idea of a woman so young and vivacion as plaintiff actually loving a "played out" man was ridiculed. Her letter to defendant claiming acknowledgment of the engage submitted to Jacob Lyons' perusal and directed and delivered by him, was criticized at length as a device that would not naturally be employed by a woman whose stacere affections had been trifled with. Her letter offering to accept a written acknowledgment that there had been an engagement, as sufficient to induce her not to bring the suit, was churacterized as insincere because before there was time for an answer to it the suit was filed. The evidence of Hurt, of Mrs. Dudoit and of the Gov. of the newspaper articles about the affair building employees was dwelt upon in supercept the first; after I returned from Mani, port of the contention that the alleged en-

gagement was only a fiction. Reference was not be sufficient in itself for finding that made to the political position of Mr. Gibson at the time of the alleged breach, when no man the counsel ever knew was so generally and heartily disliked by a community. Defendant was tottering to his fall so that the only thing about him that would make him destrable as a match for such a sprightly woman was on the point of disappearing. Mrs. Hoyt in her deposi-sition, referring to this condition of affairs, told of her consolation to the expecting bride, "that she could go to Lanai and live on mutton." He could not imagine a woman the mettle of plaintiff, on having alternative of going to live on Lanai with Gibson or dving, but would un hesitatingly state her preference for becoming a corpse. The relations between the parties had been simply those of exchanging books and coin, and if plaintiff was an affinced wife to defendant, when he gave her cheques in excess of the prices of the law and the evidence. They could not go beyond that and consider the occupation books she sold him, a woman of her spirit would have torn them in shreds before his Such were not the class of gifts passed from men to the objects of their plighted love, and there was no evidence of any present, not even a bouquet of defendant to be considered in the light of his political life. His Honor concluded by flowers, having been given by defendant to plaintiff. She said an engagement ring had been tendered but she had refused it. This counsel could not believe of any woman in the world. The evidence ared by any known standard, but en-tirely according to the jury's own estimate of the injury done. Alfrom the Government building showed that instead of Gibson being an ardent lover pur-suing the light of his eyes, Mrs. St. though the breach left no stain on plaintiff, it would still be a case for compen-Clair was continually lying in w for him and following him until wnit had to hide. Stress was laid on the fact that not a line of writing from Mr. Gibson in either assertion or admission of the engagement was produced. If the jury found that there had been an actual promise damages must be beyond any material loss proved. He declined to rule that no special of marriage they would have to find for the defendant, but in that case they were without evidence of any injury done to the plainground that it was for the jury to decide that question. Also he denied the request that the jury he instructed to consider tiff, beyond, perhaps, a slight loss on the sale of books. Therefore, counsel contended that damages, if any, should be only nomical. Mr. Kunney followed, addressing the jury would have been a good settlement to the plaintiff. No estimate was to be made of oron behalf of the plaintiff. He closed at 10 o'clock, having spoken for about an hour and three-quarters. The difference between the circumstances of man and woman were elucidated and applied to the case on trial. The man had the privilege of speaking the word, while the lips of the penses sustained by the plaintiff since the beginning of the sint. They could find dam-ages for injury done to the feelings of

soman were sealed. It was for her to make

such advances as she thought proper, and if

But the woman had to observe the strictest

Woman was the reigning di-of the home and the home

She asserted that defendant

matter now well she may have redeem

was the rock on which the state was founded. Every woman who failed to

secure position in a home was a loss to the

state, while men might wander nimborsts

through life and not be missed. In a case such

while nothing but pecuniary riskswere in

volved to the man. The plaintiff had been

paraded before the community by the de

promised to marry her, to which he

cast everything she holds precious into the balances and appealed to a

a jury of men to try the issues

such a man as the defendant had been

the victim of a conspiracy by these two women (plaintiff and sister) to ex-

ort damages by blackmail. If the plain-

tiff was capable of concocting such a gigan

The largest cities in the world would alone

afford scope for such gigantic intel-

adventuresees beguiing one man into their toils it was a case of one adven-

turer stealing the good graces of two women

And if it was one adventuress capturing

one adventurer, they were asked as men

the fact that the defendant had never com-

mitted himself in writing, it was commented on as a prominent feature of Gibson's abole

career that in all the shady affairs, political or otherwise, in which he had figured

he had never been caught in black and

white. The case for the defense, so far as

grably conducted, but the cloven foot

had been shown clearly in the methods. Why that attempt to show that, when defendant went to see

plaintiff, after receiving her written demand

for an acknowledgment of the engagement,

he carried a book in his hand for re-turn to Alice? Witnesses were examined

and cross examined to bring out that book, but all to no purpose and there never was such a book. Its existence originated in the

fertile brain of defendant. He knew that un-

less he could show some extraneous motive

for paying that visit, after receiving that

demand for an acknowledgment, the fact of

his going to see the plaintiff on that occasion

would be the most conclusive proof that the demand in the letter was well founded.

It seemed that a kind providence for that

woman's rights had guided his steps to her lodgings that time. The last desperate effort

of defendant was utterly nauseating as being

CHARGE BY JUDGE SICKESTON,

Judge Bickerton requested the Jury to remain seated. He said they had listened to a

great deal of testimony for the past two days

and a half, and to-night they had listened to

arguments as to what they should believe

The evidence was entirely for them to consider and the Court would not criticise it at

all. They were the sole judges of the evi-dence after applying the law to it as given

by the Court. And the law was to be con-sidered by them as given by the Court, and

had occasion to say to them once or twice during this term the responsibility of the

evidence had been fully and lengthily criti-

cised, and he should not refer to its nature or the credibility of witnesses. The founda-

tion of this action was the question of

whether there had been a promise of mar-riage and that would be the first question to

consider on retiring to the jury room. If

there had been a promise and an acceptance,

or : marriage contract, the next question would be whether there had been's breach of

the engagement. This they had to find from the evidence. There must be a legal and valid consideration—a meeting of minds.

The very words, or manner, or time, or place, was not necessary. They were to

draw from the evidence itself whether there had been a promise and an acceptance.

It did not appear that any contingency was

alleged on either side such as a promise made under conditions of fortune, health, or any-

not as they think the law ought to be.

law was on the Court and not on them.

made by any man, when he sent those nativ

counsel were concerned, had been

he did not deserve to suffer. As to

to concerve

as was required to carry out such a huge

esponded that he was under

Counsel scorned the insmustion

fendant as one whose word was

is the one on triel the woman staked all

word.

vinity

believed.

lect as

was a breach, and if there were a promise ber qualities failed to attract the object of her heart she could only retire in si-lence. On the other hand, the man and a breach then the only question would be as to damages. Mr. Hatch enters exceptions to the ruling of the Court on several points of requests (or whose atte tions were unavailing could furn away in quest of another, as for him perhaps there was as good tish in the sea as ever was instructions. The jury retired at 10:30, and signified their caught. He might go out in the world to sow wild oats, but on settling down to a staid desire to return by a load knock at 11:30. Counsel being called in His Honor read the verdict, which they declared to be unanilife his youthful foibles were soon forgotten.

propriety of conduct, for if she made one slip it was liable to confront her over after. No mous, as follows: "We find for the plaintiff, and assess dam-Mr. Hatch gave notice of motion for a new errors of the past, if she ever stood in the house of one of her sex who was established trial, on the ground that the verdict was in a home for life, she was liable to be asked, "Who are you?" and she could not say a contrary to the law and the evidence.

The foreign jury were notified to be in attendance at 10 o'clock on Friday, to which time the Court forthwith adjourned.

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witnesses to prove that this woman was hounding the steps of that guileless old man, WILDER'S Connsel concluded by asking that the jury should, if they found that a promise was made, find substantial damages. Steamship Company

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thing else—but at all events they must be satisfied that there was a positive promise. There did not appear to be any legal disability against marriage between these parties—neither of them were minors. His Honor here quoted an opinion from the Sopreme Court of Illinois to the effect that frequency of visits or assiduity of attentions did not constitute an engagement. The fact of visits alone, unless that proposition and acceptance were proved to be made, would